

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GERMANI MARIE MADDEN
 (CANNADY),

Plaintiff(s),

v.

LAS VEGAS METROPOLITAN POLICE
 DEPARTMENT, et al.,

Defendant(s).

Case No. 2:23-cv-00309-RFB-NJK

REPORT AND RECOMMENDATION

On November 1, 2022, Plaintiff brought suit against the Las Vegas Metropolitan Police Department in Case No. 2:22-cv-01829-GMN-VCF. On November 29, 2022, Judge Ferenbach denied Plaintiff's application to proceed *in forma pauperis* and ordered Plaintiff to file an updated application using the long form. *See* Case No. 2:22-cv-01829-GMN-VCF, Docket No. 4. On January 5, 2023, Judge Ferenbach administratively closed that case for failure to comply with his order. Case No. 2:22-cv-01829-GMN-VCF, Docket No. 5. On February 17, 2023, Plaintiff filed a renewed application to proceed *in forma pauperis*. Case No. 2:22-cv-01829-GMN-VCF, Docket No. 6. On February 28, 2023, Judge Ferenbach denied that renewed application for failing to cure the deficiencies he had previously identified. Case No. 2:22-cv-01829-GMN-VCF, Docket No. 7.

On February 28, 2023, Plaintiff filed this suit against the Las Vegas Metropolitan Police Department. Docket No. 1. Because litigants are not permitted to bring duplicative claims, *see, e.g., Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995), the Court ordered Plaintiff to show cause why this case should not be dismissed. Docket No. 3. In particular, the Court required Plaintiff to explain the differences between this case and the former case in any response to the order to show cause. *See id.* at 1 n.1.

1 Plaintiff has filed a response to the order to show cause. Docket No. 5.¹ Although difficult
 2 to discern, it appears that Plaintiff represents that the cases are different, but she fails to explain
 3 the difference in meaningful fashion. *See id.* at 1. Indeed, Plaintiff’s description of the earlier case
 4 as involving “false imprisonment and police brutality,” *see id.*, appears to track with the allegations
 5 she is making in this case, *see* Docket No. 1-1 at 4 (“I have been [sic] arrested on false charges
 6 and placed on an ankle monitor and was mistreated while in custody”).

7 As the claims in this case appear to duplicate those at issue in the earlier-filed case, the
 8 undersigned **RECOMMENDS** that this case be **DISMISSED**.

9 Dated: April 25, 2023

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 11 Nancy J. Koppe
 12 United States Magistrate Judge

13 **NOTICE**

14 This report and recommendation is submitted to the United States District Judge assigned
 15 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
 16 recommendation must file a written objection supported by points and authorities within fourteen
 17 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
 18 a timely objection may waive the right to appeal the district court’s order. *Martinez v. Ylst*, 951
 19 F.2d 1153, 1157 (9th Cir. 1991).

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 28 ¹ The Court liberally construes the filings of *pro se* litigants. *Erickson v. Pardus*, 551
 U.S. 89, 94 (2007).